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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,937	07/09/2001	Akhter Akhterzzaman	LUC-309/Akhteruzzaman	7473
32205	7590	11/20/2006	37-	
CARMEN B. PATTI & ASSOCIATES, LLC ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602			EXAMINER PEREZ, ANGELICA	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/900,937

Applicant(s)

AKHTERZZAMAN ET AL.

Examiner

Angelica M. Perez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 5, filed 8/14/2006, with respect to the rejection(s) of claim(s) 28-35 under 103 (a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Tomoike alone.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 28-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kowaguchi (Kowaguchi, Satoshi; US patent No.: 6,201,973 B1) in view of Tomoike (Tomoike, Hiroyuki; US Paten No.: 6,233,447 B1).

Regarding claim 28, Kowaguchi teaches of a method comprising the steps of: storing in a mobile communication device location information for one or more designated geographical areas (figure 3, item 216 and columns 3 and 4, lines 14-26, 57-59 and 17-26, respectively); determining, by the mobile communication device, when the mobile communication device is within one of one or more designated geographical areas (column 5, lines 25-39), preventing activation of an audible incoming call indicator in the mobile communication device while the mobile communication device is within

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one of the one or more designated geographical areas (column 5, lines 25-39; where notification can be received by other means: e.g., visual or by no other means at all) Kowaguchi further teaches of generating a prevent activation control signal by the mobile communication device to prevent activation of the audible incoming call indicator at the mobile communication device in response to receipt of the first signal (column 4, lines 14-26). Kowaguchi further teaches of receiving at the mobile communication device a first signal from a supporting exchange representing that the one of the one or more designated geographical areas (column 1, lines 33-45); and preventing activation of the audible incoming call indicator in the mobile communication device in response to receipt of the first signal (column 1, lines 46-50).

Kowaguchi does not specifically teach where one or more designated geographical areas comprise one or more high traffic areas.

In related art, concerning a mobile communication system and method of incoming call restriction, Tomoike teaches where one or more designated geographical areas comprise one or more high traffic areas (columns 51-66 and column 4, lines 22-67).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Kowaguchi's communication device location information for one or more designated geographical areas with Tomoike's one or more high traffic areas in order to achieve better traffic management, as taught by Tomoike.

Regarding claim 29, Kowaguchi and Tomoike teach all the limitations of claim 28.

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Tomoike further teaches the step of transmitting to the mobile communication device location information for the one or more first high traffic areas where use of audible incoming call indication is restricted (column 3, line s51-57).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Kowaguchi's communication device location information for one or more designated geographical areas with Tomoike's one or more high traffic areas in order to achieve better traffic management, as taught by Tomoike.

Regarding claim 34, Kowaguchi and Tomoike teach all the limitations of claim 28. Kowaguchi further teaches of displaying indicia by the mobile communication device indicating that the latter is in a restricted area upon receipt of the first signal from the supporting exchange (columns 4 and 5, lines 14-26, 56-63 and 25-39, respectively).

Regarding claim 30, Kowaguchi teaches of a method comprising the steps of: storing in a mobile communication device location information for one or more designated geographical areas (figure 3, item 216 and columns 3 and 4, line 57-59 and 17-26, respectively); determining, by the mobile communication device, when the mobile communication device is within one of the one or more designated geographical areas (column 5, lines 25-39); and preventing one or more outgoing calls from the mobile communication device while the communication device is within one of the one or more designated geographical areas (column 4, lines 14-26 and figure 3, item 216). Kowaguchi further teaches of receiving at the mobile communication device a first signal from a supporting exchange representing that the one of the one or more designated geographical areas (column 1, lines 33-45); and preventing activation of the

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audible incoming call indicator in the mobile communication device in response to receipt of the first signal (column 1, lines 46-50), and generating at the mobile communication device in response to receipt of the first signal, a control signal utilized in the mobile communication device to prevent the mobile communication device from initiating any transmissions to the supporting exchange as part of one or more outgoing calls in response to receipt of the first signal and in response to a user input associated with an attempted initiation the outgoing call (column 1, lines 33-50).

Kowaguchi does not specifically teach one or more designated geographical areas comprise one or more high traffic areas.

Tomoike teaches where one or more designated geographical areas comprise one or more high traffic areas (columns 51-66 and column 4, lines 22-67).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Kowaguchi's communication device location information for one or more designated geographical areas with Tomoike's one or more high traffic areas in order to achieve better traffic management, as taught by Tomoike.

Regarding claim 31, Kowaguchi and Tomoike teach all the limitations of claim 30. Kowaguchi further teaches the step of transmitting to the mobile communication device location information for the one or more where outgoing calls are restricted (figure 4 shows different transmission inhibition areas).

Tomoike further teaches second high traffic areas (column 3, lines 51-66; where different channel signaling networks correspond to different areas).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Kowaguchi's communication device location information for one or more designated geographical areas with Tomoike's one or more high traffic areas in order to achieve better traffic management, as taught by Tomoike.

Regarding claim 32, Kowaguchi and Tomoike teach all the limitations of claim 28. Kowaguchi further teaches where the step of receiving at the mobile communication device a first signal comprises receiving the first signal via a wireless transmission a from the supporting exchange (columns 4 and 5, lines 14-26 and 25-39).

Regarding claim 33, Kowaguchi and Tomoike teach all the limitations of claim 30. Kowaguchi further teaches where the step of receiving at the mobile communication device a first signal comprises receiving the first signal via a wireless transmission a from the supporting exchange (columns 4 and 5, lines 14-26 and 25-39).

Regarding claim 35, Kowaguchi and Tomoike teach all the limitations of claim 30. Kowaguchi further teaches of displaying indicia by the mobile communication device indicating that the latter is in a restricted area upon receipt of the first signal from the supporting exchange (columns 4 and 5, lines 14-26, 56-63 and 25-39, respectively).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 571-272-7885. The examiner can normally be reached on 6:00 a.m. - 2:30 p.m., Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either the PAIR or Public PAIR. Status information for unpublished applications is available through the Private PAIR only. For more information about the pair system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Information regarding Patent Application Information Retrieval (PAIR) system can be found at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.

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Lana N. Le
11-13-06
LANA LE
PRIMARY EXAMINER

Angelica Perez
(Examiner)

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November 13, 2006